

The opinion in support of the decision being entered today was not written
for publication and is not binding precedent of the Board.

Paper No. 38

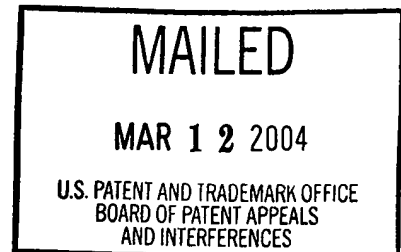
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MARK R. ALLEN

Appeal No. 2003-0773
Application No. 09/339,616

ON BRIEF



Before HARKCOM, Acting Chief Administrative Patent Judge,
WILLIAM F. SMITH and BLANKENSHIP, Administrative Patent Judges.

Per curiam.

On November 29, 2001, appellants filed a Notice of Appeal (Paper No. 18).

On September 9, 2003, appellants filed a communication abandoning the present
application in favor of a continuing application (Paper No. 37).

Accordingly, it is

ORDERED that the appeal filed November 29, 2001 is dismissed.

The application is being returned to the examiner for further action as may be appropriate.


Gary V. Harkcom, Acting Chief)
Administrative Patent Judge)


William F. Smith) BOARD OF PATENT
Administrative Patent Judge) APPEALS AND


Howard B. Blankenship) INTERFERENCES
Administrative Patent Judge)

HBB/eld

Appeal No. 2003-0773
Application No. 09/339,616

Page 3

Liniak, Berenato, Longacre & White
6550 Rock Spring Drive, Suite 240
Bethesda, MD 20817